NEGRO SWEEPER TELLS THE STORY OF MURDER NOTES IN PHAGAN CASE

James Conley Makes New

Affidavit, Swearing That

He Wrote at the Dictation

of Leo M. Frank.

EVIDENCE CHAIN NOW

COMPLETE, SAY POLICE

Conley Declares Frank Gave

Him $2.50 for Writing the

Notes—He Writes "Night

Witch" for Night Watchman.

James Conley, the negro sweeper at the National Pencil factory, in which little Mary Phagan was murdered, made a new affidavit Wednesday morning in which he threw additional light on the case, incriminating Leo M. Frank, and which detectives think will solve the long-drawn-out mystery.

"Write ‘night watchman,'" he is said to have been commanded by detectives Wednesday morning. The result was ‘night witch,' just as in the note found by the body of the murdered girl. This, the detectives declare, is the strongest corroboration of his statement that he wrote the notes at the direction of Frank, the factory superintendent.

The city detectives are said to put full credence in his statements now, as in the new affidavit he is said to have sworn that the notes were written on Saturday, about 1 o'clock, and not on Friday, as he first declared.

Feared for His Neck.

His reason for deception the first time is said to be that he feared for his own neck if he admitted the truth. As matters stand now, he is regarded by the detectives merely as an unwilling tool, and not as an accomplice of the murderer, whomever he may be.

According to this new affidavit, the negro's complete story of his part in the affair is said to be as follows:

A little after 10 o'clock Saturday morning he was standing at the corner of Forsyth and Nelson streets, when Frank, his employer, passed by, going in the direction of Montag Brothers. Mr. Frank is said to have told him to wait there until he (Frank) came back. A few minutes later, according to the negro, Frank

returned, and took him to the factory with him. Here he made the negro sit on a box by the stairs, so the affidavit is said to state, and wait and "see what he could see." When wanted, Frank is said to have told him that he would whistle.

"Be careful not to let Mr. Darley see you," he swears the superintendent said.

Heard Frank Whistle.

About an hour later the negro is said to swear that he became sleepy, as he had had a beer, was in a comfortable position, and doing nothing. He dozed a while, and then awakened as he heard a sharp whistle, so he says, and saw Frank standing in the doorway at the head of the stairs.

He responded to Frank's call, and when he reached the factory superintendent's side, the latter is said to have grasped the negro under the arm.

Conley swears that Frank was quaking violently. The negro further swears that it gave him the impression that Frank wished to keep him from looking toward the rear.

In this way the negro was led into Mr. Frank's office, so he swears. He also swears that as they passed the time clock he looked up and noticed that it was four minutes to 1 o'clock.

According to Frank's sworn testimony before the coroner's jury before he was formally accused, the murdered girl, little Mary Phagan, had received her pay and left before that hour.

Put Him in Wardrobe.

The negro swears that they went back into the inner office, Frank saying nothing, but still maintaining the tight grip on the negro's arm. People were heard approaching the negro declares, and Frank put him in a big wardrobe, soon disposed of the visitors and released him from his temporary confinement.

Then Frank, trembling from head to foot, so the negro declares, said that he wanted to get a sample of the negro's handwriting.

Frank dictated and the negro wrote Conley swears that he remembers that one of the notes began, "Dear mother."

Conley swears that as Frank walked back and forth nervously in the office his hands trembled, he ran them constantly through his hair, and at one time muttered to himself in an undertone, "There's no reason why I should hang."

Conley says that after he finished writing, Frank warmly thanked him, called him "good boy," etc. and gave him $2.50 and lead him to the door at the lead of the stairs.

The negro swears that he left the factory at ten minutes after 1 o'clock. He further states that he did not see Mary Phagan at any time on the day of the murder, and that he didn't see Frank again until Tuesday morning.

Said He Could Not Write.

For the first two weeks of his incarceration the negro, Conley, stoutly maintained that he could not write. However, the detectives found that he had brought two watches on the installment plan and signed "deeds" to them. They compared his writing on these, they say, and found it identical with the writing on the slips of paper found by the body in the pencil factory. A short while after this he called for Detective John Black and made his confession. The fear that he himself would hang is said to be the reason that the black denied any connection with the case. Conley still maintains that he had no knowledge of a crime being committed in the building.

Chief Beavers has conferred with Judge L. S. Roan as to whether he could take the negro to Frank's cell

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NEGRO SWEEPER TELLS

STORY OF MURDER NOTES

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and confront the superintendent with the black. Judge Roan, it is understood, told the chief that under the law Frank would be entitled to consult his attorney, and have the latter present, should such a meeting be arranged.

Frank's attorney, Luther Z. Rosser, is at present at Clayton Rabun county, engaged in the Tallulah Falls suit. Sheriff Wheeler Mangum sent Frank word and the latter stated that he did not wish to see the officers or the negro, unless his attorney was present. Without Frank's consent the sheriff would not allow the officials to visit Frank in the tower, and the attempt was given up. Whether Chief Beavers will make another effort to get Frank and Conley together is not known.

Conley has only admitted having written the phrase of the murder notes in which appear the words: "That long tall black negro did this by himself." He has not been shown the remainder of that note, or the other note found beside the body. Detectives will today compare Conley's handwriting with that of the other note.

The negro says he wrote the other phrases at Frank's dictation, but cannot recall any beside the words indicated. He

says he can identify the other writing if it is shown him, which will be done some time today. Detectives now place complete confidence in his story, and will keep him in prison as a material witness in Frank's trial.

Many people have wished to know just exactly how Conley copied the handwriting on the murder notes. Some believed that the notes were placed before him and he was told to copy them, while others think he wrote from dictation.

According to Harry Scott, of the Pinkertons, Conley has not yet seen the murder notes. The words were dictated to him, but not spelled as was done in the case of Newt Lee. Conley's spelling corresponds with that of the note.

Scott says that Conley's story is to the effect that he withheld his confession because he expected to be paid a large sum by Frank or his friends. When he made his first confession he believed that if he admitted having written the notes on Saturday, instead of Friday, it would incriminate him more than the suspected superintendent, and he would be hanged on circumstantial evidence.

The negro Conley is regarded by the detectives as their most material witness. He is the missing link, they think, which connects the chain of circumstantial evidence which they have gathered.

George W. Gentry, the young stenographer who took down the dictograph conversation, is in hiding at present, owing to annoyance caused by much questioning by strangers in regard to the affair.

Gentry left Monday morning after an interview with a man who posed as a newspaper reporter, and told Gentry that he was in danger of being arrested on a trumped up charge.

Since leaving he is said to have been in constant communication with his mother or other members of the family, at 32 East Alexander street.

His family are confident that he will return as soon as the excitement over the dictograph affair subsides.